

AMENDED

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office. JUN 1 - 1990			
Returned to applicant for correction JUL 1 © 1990			
Corrected application filed. AUG 1 7 1990 Map filed AUG 1 7 1990			
Pighard D. Waighaunt			
The applicant Richard D. Weishaupt			
3575 Portuguese Lane of Fallon Street and No. or P.O. Box No. City or Town			
Nevada 89406 hereby make application for permission to change the State and Zip Code No.			
Place of use of a portion and the manner of use Point of diversion, manner of use, and/or place of use			
of water heretofore appropriated under Truckee Carson Irrigation District Serial Nos. Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree a 746, 747 United States of America v. Orr Ditch Co. in Equity N. A-3, Claim No.			
3; United States of America v. Alpine Land Reservoir Co., No. D-183 BRT, both			
by the Federal District Court of Nevada			
1. The source of water isTruckee River and Carson River			
The amount of water to be changed 638.66 acre feet			
The water to be used for Maintenance of Wetlands for Recreation and Wildlife/Storage			
The number because and sind of animals.			
manufacture, proving, measures, one at the second state frame of animals.			
5. The water is to be diverted at the following point. Lahontan Dam being within the SW SE SE Describe as being within a 40-acre subdivision of public survey and by course a Section 33. TION PROFE M.D. B. SM. and Dowley Dam being within NI SW Section 10.			
Section 33, T19N, R26E, M.D.B.&M. and Derby Dam being within N2 SW2 Section 19, distance to a section corner. If on unsurveyed land, it should be stated.			
T.20N., R.23E., MDBM			
6. The existing permitted point of diversion is located within			
7. Proposed place of use			
8. Existing place of use 213.6 acres total comprised of 38.2 acres within NW \$\frac{1}{4}\$ SW \$\frac{1}{4}\$, Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/			
35.2 acres within NE ¹ / ₄ SW ¹ / ₄ , 38.2 acres within NW ¹ / ₄ SE ¹ / ₄ , 34.2 acres within SW ¹ / ₄ manner of use of irrigation permit, describe acreage to be removed from irrigation.			
SW1, 32.3 acres within SE1 SW1, 35.5 acres within SW1 SE1, Section 1, T19N R30E M.D.B.&M.			
9. Use will be from as decreed to Month and Day Month and Day Month and Day			
10. Use was permitted from as decreed to			
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans an			
specifications of your diversion or storage works.) No new diversion or storage works on the State manner in which water is to be diverted, i.e. diversion structure			
State manner in which water is to be diverted, i.e. diversion structure. Truckee River and the Carson River will be constructed. ditches, pipes and flumes, or drilled well, etc.			
12. Estimated cost of works			
13. Estimated time required to construct works			

14. Estimated time required to complete the application	on of water to beneficial use	1 year
15. Remarks: For use other than irrigation or stock consumptive use:	watering, state number and ty	pe of units to be served or annual
See Addendum 1, 2, 3, 4		***************************************
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	By s/ Robert C. B U.S. Fish &	Bryant Wildlife Service Applicant
Compared am/se am/se	911 N.E. 11	
Protested		
	· ***	
APPROVAL	OF STATE ENGINEER	
This is to certify that I have examined the foreg	going application, and do here	by grant the same, subject to the
following limitations and conditions: This permit to change the place Rivers as set forth under the Newlands Carson River final decrees is issued said decrees and with the understand affected by the change proposed herein This permit is issued subject for a firming the condition of the change proposed herein this permit is issued subject for a firming the condition of the change proposed herein the change pr	s Reclamation Project subject to the terms ding that no other rig to the agreement execu	rights in the Truckee and and conditions imposed in ghts on the source will be ated by the Truckee Carson
dated June 28, 1990. This permit is further issued pure This permit is also issued for the United States of America vs. Alpid D-183 BRT. The net consumptive use	suant to NRS 533.370, the consumptive use p ne Land and Reservoir	Section 1(b). oursuant to Article VII in
land removed from irrigation. This permit does not extend the complete the composition of the composition o	he permittee the right	of ingress and egress on
The issuance of this permit of the control of the c	•	-
<u>-</u> -		•
The amount of water to be changed shall be limited to	o the amount which can be ap	pplied to beneficial use, and not to
exceed 4.29 cu	ibic feet per second and no	ot to exceed 638.66 acre-
feet as decreed.		***************************************
Work must be prosecuted with reasonable diligence an	d be completed on or before	December 13, 1992
Proof of completion of work shall be filed before		January 13, 1993
Application of water to beneficial use shall be made or		
Proof of the application of water to beneficial use shall		
Map in support of proof of beneficial use shall be filed	l on or before	N/A
Completion of work filed DEC 1 9 1991		R. MICHAEL TURNIPSEED, P.E.
Proof of beneficial use filed	-	September
Cultural map filed) Julian
Certificate NoIssued	A.D. 19.91	1/
	Hystary	State Engineer
	/ /	•
	i	

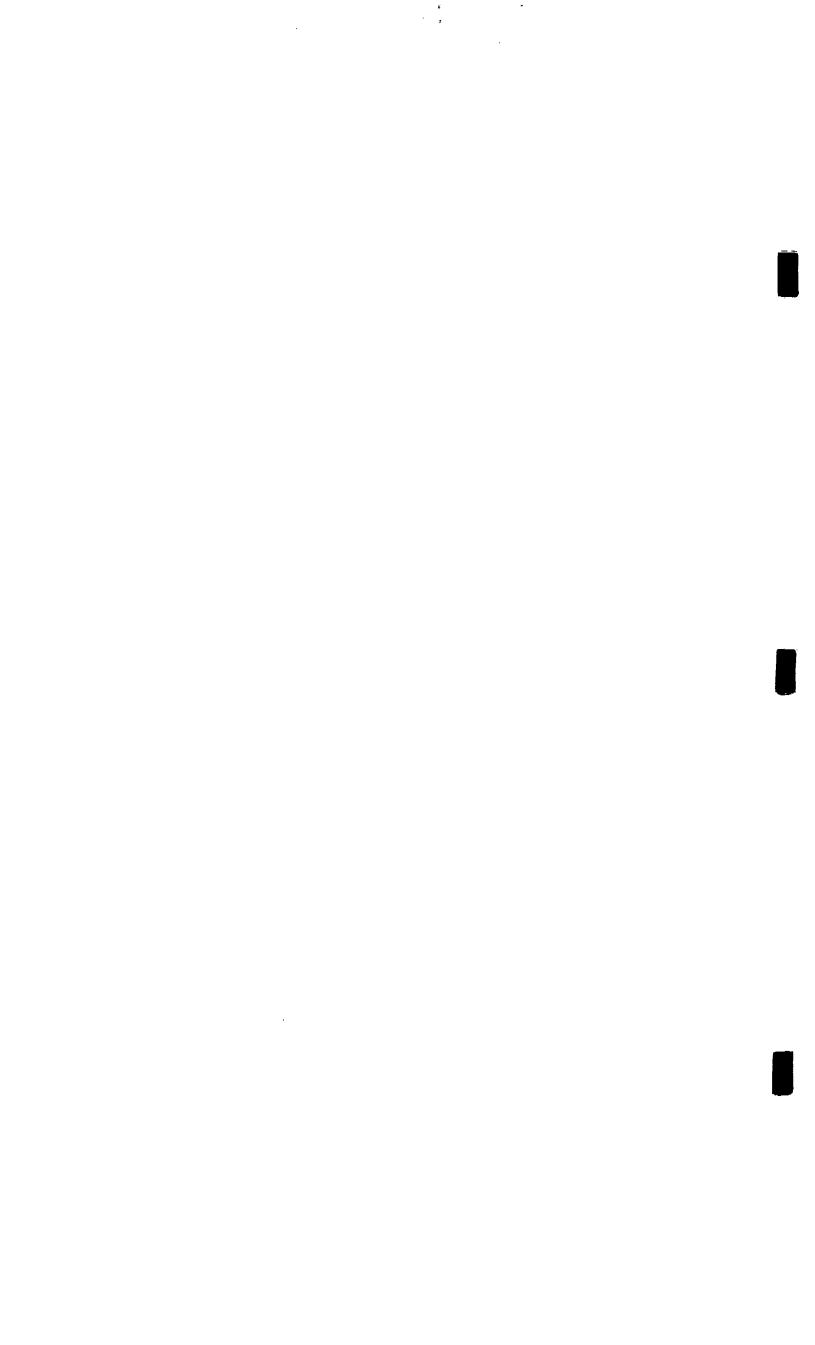
ADDENDUM TO APPLICATION TO TRANSFER NEWLANDS PROJECT WATER RIGHT TCID SERIAL NO. 746 and 747

1. The proposed place of use consisits of 57,450 acres, more or less, in:

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Township 21 North, Range 32 East, Mount Diablo Meridian
      Section 2, all;
      Section 3, all;
      Section 4, all;
      Section 5, all;
      Section 6, all;
      Section 7, all;
      Section 8, all;
      Section 9, all;
Section 10, all;
      Section 11, all;
      Section 14, all;
      Section 15, all;
      Section 16, all;
      Section 17, all;
      Section 18, all;
      Section 19, all;
      Section 20, all;
      Section 21, all;
      Section 22, all;
      Section 27, all;
      Section 28, all;
Section 29, all;
      Section 30, all;
      Section 31, all;
      Section 32, all;
Section 33, all;
      Section 34, all;
Township 21 North, Range 31 East, Mount Diablo Meridian
       Section 1, all;
       Section 2, all;
Section 3, all;
       Section 10, all;
       Section 11, all;
Section 12, all;
       Section 13, all;
       Section 14, all;
       Section 15, all;
       Section 22, all;
       Section 23, all;
       Section 24, all;
       Section 25, all;
       Section 26, all;
       Section 27, all;
       Section 34, all;
       Section 35, all;
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Township 20 North, Range 32 East, Mount Diablo Meridian
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, all;
Section 8, all;
Section 9, all;
Section 10, all;
Section 16, all;
Section 17, all;
Section 18, all;
Section 19, all;
Section 20, all;
Section 20, all;
Section 29, all;
Section 30, all;

Section 36, all;



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CORRECTED PERMIT
Township 20 North, Range 31 East, Mount Diablo Meridian
                                                                                                                      54901
         Section 1, all;
         Section 2, W_2, E_2SE_4, W_2NE_4 NE_4NE_4;
         Section 11, all;
         Section 12, all;
         Section 13, all;
         Section 14, all;
         Section 22, E
         Section 23, all;
         Section 24, all;
         Section 25, all;
         Section 26, all;
         Section 27, E_{2}^{1}, SW_{4}^{1}, E_{2}^{1}NW_{4}^{1}, SW_{4}^{1}NW_{4}^{1};
Section 28, E_{2}^{1}SE_{4}^{1};
Section 33, E_{2}^{1}, E_{2}^{1}SW_{4}^{1}, SE_{4}^{1}NW_{4}^{1};
         Section 34, all;
Section 35, all;
          Section 36, all;
 Township 19 North, Range 31 East, Mount Diablo Meridian
          Section 2, all;
          Section 3, all;
          Section 4, E_{\frac{1}{2}}, E_{\frac{1}{2}}NW_{\frac{1}{4}}, E_{\frac{1}{2}}SW_{\frac{1}{4}}, SW_{\frac{1}{4}}SW_{\frac{1}{4}};
          Section 9, all;
           Section 10, all;
           Section 11, all;
           Section 14, all;
           Section 15, all;
           Section 16, all;
          Section 17, E<sub>2</sub>, SW<sub>4</sub>, NE<sub>4</sub>NW<sub>4</sub>;
Section 18, Lot 1 East of Stillwater Slough, Lot 2, SE<sub>4</sub>NW<sub>4</sub>, SW<sub>4</sub> east of Stillwater Slough; SE<sub>4</sub>SE<sub>4</sub>;
           Section 19, NE_{\frac{1}{2}}NE_{\frac{1}{4}}, NW_{\frac{1}{4}}, S_{\frac{1}{2}};
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Township 19 North, Range 30 East, Mount Diablo Meridian Section 13, Et et east of Stillwater Slough; Section 24, Nt NEt, SWANEL, NELNWL, SELNWL.

Section 20, all; Section 21, all; Section 22, all;

- 2. Applicants seek the approval of the State Engineer to cease the delivery of up to 638.66 acre feet (2.99 acre feet per acre x 213.6 acres irrigated as of 1987) at the turnout for the existing place of use, to deliver up to that amount to a turnout for the existing place of use, to deliver up to that amount to a turnout on the "S" Line system in general of the Newlands Project, and alternatively to use that amount for the maintenance of wetlands for recreation and wildlife at various places within the 57450 acres (more or less) proposed place of use at the Stillwater National Wildlife Refuge and Management Area (SNWRMA) or to store it in various ponds and reservoirs in that area for such use at a later time.
- 3. Applicants request that approval of this transfer be conditioned on the reopening of the approval and the full reinstatement and consideration of any protest properly lodged by the Pyramid Lake Tribe to the application, in the event that the U.S. Fish and Wildlife Service, or any other Federal agency, pursues or accepts a transfer to the proposed place of use or to any other Federally owned wetlands in the Lahontan Valley or the Fernley Sink, of Newlands Project water rights which:
 - a. are not included in the baseline acreage (water righted and irrigated in 1987, 60,300 acres less any pasture land that is limited by contract to receive 1.5 acre feet per acre) recognized under the Final Operating Criteria and Procedures for the Newlands Project adopted on April 14, 1988, or
 - b. were previously involved in any transfer proceeding approved by the Nevada State Engineer since March 14, 1985.
 - 4. Applicants expressly reserve the right to transfer in a later proceeding 0.51 acre feet for each of the 213.6 acres irrigated as of 1987, and 3.5 acre feet for each of the remaining 17.40 water righted acres at the existing place of use.



AMENDED

Serial No. 54901

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office JUN 01 1990
Returned to applicant for correction JUL 1 9 1990
Corrected application filed AUG 1 7 1990 Map filed AUG 1 7 1990
The continuet Richard D. Weishaupt
The applicant
3575 Portuguese Lane of Fallon Street and No. or P.O. Box No. City or Town
Nevada 89406 hereby make application for permission to change the State and Zip Code No.
Place of use of a portion and the manner of use
of water heretofore appropriated under Truckee Carson Irrigation District Serial Nos. 746, 747
United States of America v. Orr Ditch Co. in Equity N. A-3, Claim No. 3; United identify right in Decree.
States of America v. Alpine Land Reservoir Co., No. D-183 BRT, both by the
Federal District Court of Nevada
Tourston Division and Course Division
1. The source of water is Truckee River and Carson River Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 638.66 acre feet Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for Maintenance of Wetlands for Recreation and Wildlife/Storage
irrigation, power, mining, industrial, etc. It for stock state number and kind of animals.
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point. Lahontan Dam being within the SW4 SE4 Describe as being within a 40-acre subdivision of public survey and by course a
Section 33, T19N, R26E, M.D.B.&M.
6. The existing permitted point of diversion is located within
7. Proposed place of use See Addendum 1, 2, 3, 4
7. Proposed place of use Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

0.0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0 0
8. Existing place of use 213.6 acres total comprised of 38.2 acres within NW氧 SW氧, 35.2 acres Within NE氧 Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/SW氧, 38.2 acres within NW氧 SE氧, 34.2 acres within SW氧 SW氧, 32.3 acres within
manner of use of irrigation permit, describe acreage to be removed from irrigation. SE¼ SW¼, 35.5 acres within SW¼ SE¼, Section 1, T19N R30E M.D.B.&M.
9. Use will be from as decreed to Month and Day Month and Day of each year
Month and Day Month and Day Month and Day 10. Use was permitted from as decreed to Month and Day Month and Day Month and Day Month and Day
Month and Day Month and Day Month and Day 11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans an
No new diversion or storage works on the
Truckee River and the Carson River will be constructed.
ditches, pipes and flumes, or drilled well, etc. 12. Estimated cost of works
13. Estimated time required to construct works

14. Estimated time required to complete the application of water to beneficial use. 1 year			
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:			
See Addendum 1, 2, 3, 4			
By S/Robert C. Bryant U.S. Fish & Wildlife Service Applicants 911 N.E. 11th Avenue Agent Portland, Oregon 97232-4181			
APPROVAL OF STATE ENGINEER			
This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the			
following limitations and conditions: This permit to change the place of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be			
affected by the change proposed herein. This permit is issued subject to the agreement executed by the Truckee Carson Irrigation District, U.S. Fish and Wildlife Service, and the Nature Conservancy,			
dated June 28, 1990. This permit is further issued pursuant to NRS 533.370, Section 1(b). This permit is also issued for the consumptive use pursuant to Article VII in the United States of America vs. Alpine Land and Reservoir Company, et al., D.C. No. D-183 BRT. The net consumptive use is determined to be 2.99 acre feet per acre of land removed from irrigation.			
This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands. The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.			
noider optain other permits from state, rederar and rotar agencies.			
The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to			
exceed 4.29 cubic feet per second and not to exceed 638.66 acre-			
feet as decreed.			
Work must be prosecuted with reasonable diligence and be completed on or before December 13, 1992			
Proof of completion of work shall be filed before			
Application of water to beneficial use shall be made on or before			
Proof of the application of water to beneficial use shall be filed on or before January 13, 1996			
Map in support of proof of beneficial use shall be filed on or before			
wap in support of proof of beneficial use shall be filed on of belofe			
Completion of work filed			
Proof of beneficial use filed			
Cultural map filed			
Certificate No. Issued Wiehae Jun State Engineer			
State Engineer			

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Township 20 North, Range 31 East, Mount Diablo Meridian
        Section 1, all;
Section 2, W½, E½SE¼, W½NE¼ NE¼NE¼;
Section 11, all;
                                                                                                SEE CORRECTED PERMIT
         Section 12, all;
Section 13, all;
         Section 14, all;
         Section 22, E_{\frac{1}{2}};
         Section 23, all;
         Section 24, all;
         Section 25, all;
Section 26, all;
         Section 27, E<sub>1</sub>, SW<sub>1</sub>, E<sub>2</sub>NW<sub>1</sub>, SW<sub>1</sub>NW<sub>1</sub>;
Section 28, E<sub>2</sub>SE<sub>4</sub>;
Section 33, E<sub>2</sub>, E<sub>2</sub>SW<sub>1</sub>, SE<sub>1</sub>NW<sub>1</sub>;
Section 34, all;
Section 25, all;
         Section 35, all;
         Section 36, all;
Township 19 North, Range 31 East, Mount Diablo Meridian
          Section 2, all;
          Section 3, all;
          Section 4, Et, EtNWt, EtsWt, swiswi:
          Section 9, all;
          Section 10, all;
          Section 11, all;
          Section 14, all;
          Section 15, all;
          Section 16, all;
          Section 17, E<sub>2</sub>, Sw<sub>4</sub>, NE<sub>4</sub>NW<sub>4</sub>;
Section 18, Lot 1 East of Stillwater Slough, Lot 2, SE<sub>4</sub>NW<sub>4</sub>, SW<sub>4</sub> east
          of Stillwater Slough; SE\SE\;
Section 19, NE\NE\, NW\, S\;
          Section 20, all;
Section 21, all;
Section 22, all;
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Township 19 North, Range 30 East, Mount Diablo Meridian Section 13, E½E½ east of Stillwater Slough; Section 24, N½NE¼, SW¼NE¼, NE¼NW¼, SE½NW¼.

- 2. Applicants seek the approval of the State Engineer to cease the delivery of up to 638.66 acre feet (2.99 acre feet per acre x 213.6 acres irrigated as of 1987) at the turnout for the existing place of use, to deliver up to that amount to a turnout for the existing place of use, to deliver up to that amount to a turnout on the "S" Line system in general of the Newlands Project, and alternatively to use that amount for the maintenance of wetlands for recreation and wildlife at various places within the 57450 acres (more or less) proposed place of use at the Stillwater National Wildlife Refuge and Management Area (SNWRMA) or to store it in various ponds and reservoirs in that area for such use at a later time.
- 3. Applicants request that approval of this transfer be conditioned on the reopening of the approval and the full reinstatement and consideration of any protest properly lodged by the Pyramid Lake Tribe to the application, in the event that the U.S. Fish and Wildlife Service, or any other Federal agency, pursues or accepts a transfer to the proposed place of use or to any other Federally owned wetlands in the Lahontan Valley or the Fernley Sink, of Newlands Project water rights which:
 - a. are not included in the baseline acreage (water righted and irrigated in 1987, 60,300 acres less any pasture land that is limited by contract to receive 1.5 acre feet per acre) recognized under the Final Operating Criteria and Procedures for the Newlands Project adopted on April 14, 1988, or
 - b. were previously involved in any transfer proceeding approved by the Nevada State Engineer since March 14, 1985.
- 4. Applicants expressly reserve the right to transfer in a later proceeding 0.51 acre feet for each of the 213.6 acres irrigated as of 1987, and 3.5 acre feet for each of the remaining 17.40 water righted acres at the existing place of use.



ADDENDUM TO APPLICATION TO TRANSFER NEWLANDS PROJECT WATER RIGHT TCID SERIAL NO. 746 and 747

1. The proposed place of use consisits of 57,450 acres, more or less, in:

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Township 21 North, Range 32 East, Mount Diablo Meridian
        Section 2, all;
        Section 3, all;
        Section 4, all;
Section 5, all;
        Section 6, all;
        Section 7, all;
        Section 8, all;
        Section 9, all;
        Section 10, all;
Section 11, all;
        Section 14, all;
        Section 15, all;
Section 16, all;
        Section 17, all;
       Section 18, all;
Section 19, all;
Section 20, all;
       Section 21, all;
Section 22, all;
Section 27, all;
        Section 28, all;
        Section 29, all;
Section 30, all;
        Section 31, all;
       Section 32, all;
Section 33, all;
Section 34, all;
Township 21 North, Range 31 East, Mount Diablo Meridian Section 1, all;
        Section 2, all;
        Section 3, all;
Section 10, all;
        Section 11, all;
        Section 12, all;
        Section 13, all;
Section 14, all;
        Section 15, all;
        Section 22, all;
Section 23, all;
Section 24, all;
        Section 25, all;
Section 26, all;
        Section 27, all;
        Section 34, all;
Section 35, all;
        Section 36, all:
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Township 20 North, Range 32 East, Mount Diablo Meridian
Section 3, all;
Section 4, all;
Section 5, all;
Section 6, all;
Section 7, all;
Section 8, all;
Section 9, all;
Section 10, all;
Section 16, all;
Section 17, all;
Section 18, all;
Section 19, all;
Section 20, all;
Section 20, all;
Section 29, all;
Section 30, all;
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